

REMARKS

Claims 2, 6-11, 13-15, 17 and 19 are pending in the instant application. Claims 2, 6, 9 and 13-15 were rejected in the Final Office Action mailed on January 08, 2009. Applicants have amended Claims 2 and 6. Support for these amendments can be found in the specification. Claims 10, 17 and 19 have been withdrawn as being directed to non-elected subject matter.

In the Advisory Action mailed on April 06, 2009, the Examiner noted that Claim 7 has been allowed, and Claims 2, 6, 9 and 13-15 remain rejected. After entry of these amendments, Claims 2, 6-11 and 13-15 will remain pending.

Rejection of Claims 2, 9, 10, 13 and 14 under 35 USC §112, first paragraph

The Examiner has stated in the Advisory Action mailed on April 06, 2009 that Applicants' reply of January 29, 2009 has overcome the rejection of Claims 2, 9, 10, 13 and 14 under 35 USC §112, first paragraph.

Nonstatutory Obviousness-type Double Patenting Rejection of Claims 2, 9, 11, 13, 14 and 15

The Examiner has stated in the Advisory Action mailed on April 06, 2009 that Applicants' reply of January 29, 2009 has overcome the provisional rejection of Claims 2, 9, 11, 13, 14 and 15 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-5, 10, 12, 13 and 14-16 of co-pending Application No. 10/539,512.

Provisional Rejection of Claim 6 under 35 U.S.C. §101

The Examiner has stated in the Advisory Action mailed on April 06, 2009 that Applicants' reply of January 29, 2009 has overcome the provisional rejection of Claim 6 under 35 U.S.C. §101 as claiming the same invention as that of Claim 6 of copending Application No. 10/539,512.

If a telephonic communication with the Applicants' representative will advance the prosecution of the instant application, please telephone the representative indicated below. Applicants believe no additional fees are due but the Commissioner is authorized to charge any fees required in connection with this response to Merck Deposit Account No. 13-2755.

Respectfully submitted,

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